

ESTTA Tracking number: **ESTTA738679**

Filing date: **04/07/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	79161501
Applicant	Lidl Stiftung & Co. KG

## Notice of Appeal

Notice is hereby given that Lidl Stiftung & Co. KG appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79161501.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 029. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Processed nuts, peanuts and almonds; snack mix consisting of processed nuts and dried fruit; potato-based snack foods
- Class 030. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Popcorn; extruded wheat snacks, extruded corn snacks and rice-based snack foods; pastries; pastry and confectionery, namely chocolate, chocolate goods, cookies, pralines, cakes and tarts
- Class 031. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are appealed, namely: Fresh nuts, peanuts and almonds

Respectfully submitted,  
/Scott Greenberg/  
04/07/2016

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